

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHERRI J. MITCHELL

Defendant.

Case No. CR99-5213RJB

ORDER

This matter comes before the court on defendant's Motion for Order Declaring Satisfaction of Restitution Obligation (Dkt. 27) and on this court's order of 11 January 2006 (Dkt. 35). The court is familiar with the records and files herein and documents filed in support of and in opposition to the motion.

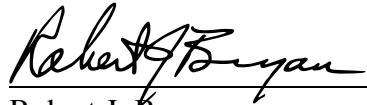
Since the court's order of 11 January, the following documents have been filed in the case: (1) Memo from the court to the Clerk's Office Financial Department dated 10 January 2006; (2) Memo to the Probation Office from the court bearing the same date; (3) Memorandum response from Probation Office dated 13 January 2006; (4) Memo from Charlotte Svendsen from the Clerk's Office Financial Department erroneously dated 11 January 2005 and actually submitted 11 January 2006; and (5) Notice of Compliance with Court's Order of 1/10/06 (Dkt. 37) with attachments.

1 It now appears, and the court finds and **ORDERS**, as follows:

- 2 (1) Defendant's restitution obligation has been satisfied by the defendant to the  
3 satisfaction of the victim.
- 4 (2) Under the authority of 18 U.S.C. § 3664(o)(1)(D) and 18 U.S.C. § 3664(k),  
5 defendant's payment schedule is adjusted to \$0, and no further restitution payments  
6 are required;
- 7 (3) Pursuant to 18 U.S.C. § 3613(c), the lien imposed by said statute is hereby set aside  
8 and declared void because the underlying liability has been satisfied; and
- 9 (4) Plaintiff's Motion for Order Declaring Satisfaction of Restitution Obligation (Dkt. 27)  
10 is **GRANTED**.

11 The Clerk of the Court is instructed to send uncertified copies of this Order to all counsel of  
12 record and to any party appearing *pro se* at said party's last known.

13 DATED this 26<sup>th</sup> day of January, 2006.

14   
15 Robert J. Bryan  
16 United States District Judge

17  
18  
19  
20  
21  
22  
23  
24  
25  
26